



DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Parts 6, 8, 10, and 11

[Docket No. TTB-2022-0011; Notice No. 216A; Re: Notice No. 216]

RIN: 1513-AC92

Consideration of Updates to Trade Practice Regulations

AGENCY: Alcohol and Tobacco Tax and Trade Bureau, Treasury.

ACTION: Advance notice of proposed rulemaking; extension of comment period.

SUMMARY: The Alcohol and Tobacco Tax and Trade Bureau (TTB) is extending for an additional 90 days the comment period for an advance notice of proposed rulemaking it published on November 9, 2022, entitled, "Consideration of Updates to Trade Practice Regulations." TTB is taking this action in response to a joint request made by eight alcohol industry trade associations.

DATES: For the advance notice of proposed rulemaking published as Notice No. 216 on November 9, 2022, at 87 FR 67612, comments are now due on or before June 7, 2023.

ADDRESSES: You may electronically submit comments on the advance notice of proposed rulemaking and view copies of that notice, this comment period extension notice, and any comments TTB receives within Docket No. TTB-2022-0011 as posted on the Regulations.gov website at <https://www.regulations.gov>. A link to that docket is available on the TTB website at <https://www.ttb.gov/laws-and-regulations/all-rulemaking> under Notice No. 216. Alternatively, you may submit comments via postal mail to the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street, NW., Box 12, Washington, DC 20005. Please see the **Public Participation** section of

Notice No. 216 for information on the specific issues and questions on which TTB is soliciting comments, and for information on the submission, confidentiality, and public disclosure of comments.

FOR FURTHER INFORMATION CONTACT: Christopher Forster-Smith, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW, Box 12, Washington, DC 20005; telephone 202-453-1039 ext. 150.

SUPPLEMENTARY INFORMATION:

Through a recently-published advance notice of proposed rulemaking (ANPRM), the Alcohol and Tobacco Tax and Trade Bureau (TTB) solicited comments on its trade practice regulations related to the Federal Alcohol Administration Act's tied house, exclusive outlet, commercial bribery, and consignment sales prohibitions, which are contained in 27 CFR parts 6, 8, 10, and 11, respectively. TTB published that ANPRM as Notice No. 216, "Consideration of Updates to Trade Practice Regulations," in the **Federal Register** on November 9, 2022, at 87 FR 67612. TTB solicited comments on specific issues and questions set out in the ANPRM and also invited comments on any other issue or concern related to its trade practice regulations.

As originally published, the comment period closing date for the ANPRM was March 9, 2023.

TTB recently received a joint request from eight alcohol industry trade associations to extend the comment period for the ANPRM for an additional 90 days; see Comment 21 as posted in Docket TTB-2022-0011 on the "Regulations.gov" website at <https://www.regulations.gov>. The eight associations supporting the request are the Wine Institute, the Distilled Spirits Council of the United States (DISCUS), WineAmerica, the American Distilled Spirits Alliance

(ADSA), the Wine and Spirits Wholesalers of America (WSWA), American Beverage Licensees (ABL), the Beer Institute, and the National Beer Wholesalers Association (NBWA).

The eight associations cite the changes to the beverage alcohol industry since the trade practice regulations were last revised, the differential affect changes to the regulations may have on small, mid-size, and large producers, the broad scope of the ANPRM, and the on-going holiday season as the reasons they are requesting an extension to the ANPRM's comment period for an additional 90 days.

In response to that request, TTB is extending the comment period for Notice No. 216 for an additional 90 days. TTB believes that the 90-day extension of the comment period, in addition to the original 120-day comment period, will be of sufficient length to allow interested parties to consider and comment on the issues raised in the ANPRM, while allowing TTB to then proceed with a notice of proposed rulemaking and ultimately conclude the rulemaking in a timely manner.

Therefore, TTB will now accept public comments on Notice No. 216 through June 7, 2023. See the ANPRM, Notice No. 216, for complete information on the specific issues and questions on which TTB is seeking comment, as well as information on how to submit comments electronically or by postal mail, and on the confidentiality and public disclosure of any submitted comments.

Signed:

Mary G. Ryan,

Administrator.